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Rev. 6/95

U.S. Department of Commerce
Patent and Trademark Office

**COMBINED DECLARATION (37 CFR
1.63) AND POWER OF ATTORNEY
FOR UTILITY OR DESIGN
PATENT APPLICATION**

<p>0010/PTO Rev. 6/95</p> <p>SEARCHED MAILED SEARCHED TRADEMARK</p> <p>U.S. Department of Commerce Patent and Trademark Office</p>		<p>Attorney Docket Number</p> <p>20852-05135</p>									
<p>First Named Inventor</p> <p>Tian Shen</p>		<p><i>COMPLETE IF KNOWN</i></p>									
<p>COMBINED DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY</p> <p>FOR UTILITY OR DESIGN</p> <p>PATENT APPLICATION</p>											
<table border="1"> <tr> <td> <p> Declaration Submitted with Initial Filing</p> </td> <td> <p>OR</p> </td> <td> <p>[X] Declaration Submitted after Initial Filing</p> </td> </tr> <tr> <td colspan="3"> <p>Examiner Name</p> <p>Not yet known</p> </td> </tr> <tr> <td> <p>Application Number</p> <p>09/851,593</p> </td> <td> <p>Filing Date</p> <p>May 8, 2001</p> </td> <td> <p>Group Art Unit</p> <p>2633</p> </td> </tr> </table>			<p> Declaration Submitted with Initial Filing</p>	<p>OR</p>	<p>[X] Declaration Submitted after Initial Filing</p>	<p>Examiner Name</p> <p>Not yet known</p>			<p>Application Number</p> <p>09/851,593</p>	<p>Filing Date</p> <p>May 8, 2001</p>	<p>Group Art Unit</p> <p>2633</p>
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<p>Examiner Name</p> <p>Not yet known</p>											
<p>Application Number</p> <p>09/851,593</p>	<p>Filing Date</p> <p>May 8, 2001</p>	<p>Group Art Unit</p> <p>2633</p>									

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VARIABLE RATE HIGH-SPEED INPUT AND OUTPUT IN OPTICAL COMMUNICATION NETWORKS

the specification of which

(Title of the Invention)

is attached hereto

OR

was filed on (05/08/2001) as United States Application Number or PCT International

Application Number 09/851,593 and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

OR of any PCT International Application having a filing date before that of the application on which priority is claimed.					
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority	Certified Copy Attached?	
			Not Claimed	YES	NO
			[]	[]	[]
			[]	[]	[]
			[]	[]	[]
			[]	[]	[]
			[]	[]	[]

| Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s) 60/211,819	Filing Date (MM/DD/YYYY) 06/15/2000	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.
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DECLARATION

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I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/571,349	05/16/2000		
09/405,367	09/24/1999		

Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Name	Registration Number	Name	Registration Number
Greg T. Sueoka	33,800	Eileen A. Lehmann Michael W. Farn	39,272 41,015

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

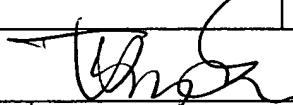
Please direct all correspondence to:

Eileen A. Lehmann
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
U.S.A.

Telephone **(650) 858-7246** Fax **(650) 494-1417**

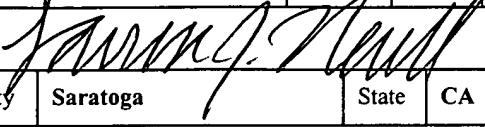
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: A petition has been filed for this unsigned inventor

Given Name	Tian	Middle Initial		Family Name	Shen	Suffix	
Inventor's Signature					Date	09/25/2001	
Residence: City	Cupertino	State	CA	Country	U.S.A.	Citizenship	China USA
Mailing Address		10205 Vicksburg Drive					
Mailing Address							
City	Cupertino	State	CA	Zip	95014	Country	U.S.A.

Additional inventors are being named on supplemental sheet(s) attached hereto

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet				
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Robert		Middle Initial	B.	Family Name	Clarke		Suffix	Jr.
Inventor's Signature	<i>Robert B. Clarke</i>					Date	Sept 26, 2001		
Residence: City	Santa Clara		State	CA	Country	U.S.A		Citizenship	U.S.A.
Mailing Address	2910 Jerald Avenue								
Mailing Address									
City	Santa Clara		State	CA	Zip	95051	Country	U.S.A.	
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Thomas		Middle Initial	J.	Family Name	Roman		Suffix	
Inventor's Signature	<i>Thomas Roman</i>					Date	Oct 2, 2001		
Residence: City	Fremont		State	CA	Country	U.S.A		Citizenship	U.S.A.
Mailing Address	250 Aleut Court								
Mailing Address									
City	Fremont		State	CA	Zip	94539	Country	U.S.A.	
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	David		Middle Initial	B.	Family Name	Upham		Suffix	
Inventor's Signature	<i>David B. Upham</i>					Date	9/25/01		
Residence: City	Sunnyvale		State	CA	Country	U.S.A		Citizenship	USA
Mailing Address	1660 Kamsack Drive								
Mailing Address									
City	Sunnyvale		State	CA	Zip	94087	Country	U.S.A.	
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	David		Middle Initial	A.	Family Name	Pechner		Suffix	
Inventor's Signature	<i>S</i>					Date	10-2-01		
Residence: City	San Jose		State	CA	Country	U.S.A		Citizenship	USA
Mailing Address	5981 Vista Loop								
Mailing Address									
City	San Jose		State	CA	Zip	95124	Country	U.S.A	
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto									

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet				
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Laurence		Middle Initial	J.	Family Name	Newell		Suffix	Jr.
Inventor's Signature						Date	(10/31/00)		
Residence: City	Saratoga		State	CA	Country	U.S.A		Citizenship	U.S.A.
Mailing Address	13890 River Ranch Circle								
Mailing Address									
City	Saratoga		State	CA	Zip	95020	Country	U.S.A.	
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name			Middle Initial		Family Name			Suffix	
Inventor's Signature						Date			
Residence: City			State		Country			Citizenship	
Mailing Address									
Mailing Address									
City			State		Zip		Country		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name			Middle Initial		Family Name			Suffix	
Inventor's Signature						Date			
Residence: City			State		Country			Citizenship	
Mailing Address									
Mailing Address									
City			State		Zip		Country		
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto									